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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 December 2009*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,5-8,10,12-15,17,19-22,24,25 and 27* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1,3,5-8,10,12-15,17,19-22,24,25 and 27* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   In the Amendment filed 12/15/2009, the following has occurred: Claims 1, 3, 8, 10, 15,

17 and 24 have been amended; Claims 2, 4, 9, 11, 16, 18, 23 and 26 have been canceled.

2.   Now, claims 1, 3, 5 – 8, 10, 12 – 15, 17, 19, 20 – 22, 24, 25 and 27 are pending.

Notice to Applicant

3.   In the Office Action dated 7/31/2007, the Examiner made several Official Notice

statements. The Applicant's reply, dated 2/11/2008, does not challenge the validity of those

Official Notice statements. Therefore, these Official Notice statements become Applicant

Admitted Prior Art (AAPA) and they are that:

- The automated instructions are adapted to verify that the sum of all selected postings is in

  the business's favor.

- One of ordinary skill in the art would have added this feature with the motivation to

  clearly see all the positions of a business or a customer online to make determining

  profits easier.

4.   The Examiner notes that this is the first action following the second Request for

Continued Examination. In attempting to further prosecution, the Examiner is applying new art.

The Examiner is doing so to better explain why the previous rejections were sufficient and why

the currently amended claims are still obvious or old.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6.   Claims 1, 3, 5 – 8, 10, 12 – 15, 17, 19, 20 – 22, 24, 25 and 27 are rejected under 35

U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The

claim(s) contains subject matter which was not described in the specification in such a way as to

reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention. (new matter underlined)

Independent claim 1 was amended to include:

- wherein, a processor at the server uses the list to pair a payment due from the insurer to
  the reinsurer for a certain insurance policy with a payment due from the reinsurer to the
  insurer for the certain insurance policy.

Independent claim 8 was amended to include:

- wherein, a processor at the server uses the list to pair a payment due from the insurer to
  the reinsurer for a certain insurance policy with a payment due from the reinsurer to the
  insurer for the certain insurance policy.

Independent claim 15 was amended to include:

- wherein instructing the business to pair a payment with one or more upcoming events
  comprises using a processor and the list on the graphical user interface to pair a payment
  due from the insurer to the reinsurer for a certain insurance policy with a payment due
  from the reinsurer to the insurer for the certain insurance policy.

Independent claim 24 was amended to include:

- wherein instructing the reinsurer to pair a payment with one or more upcoming events
  comprises using a processor at the server and the list to pair a payment due from the

> insurer to the reinsurer for a certain insurance policy of the insurer with a payment due
>
> from the reinsurer to the insurer from the certain insurance policy in accordance with an
>
> existing reinsurance policy between the insurer and the reinsurer.

The Examiner has read through the specification and notes that the Specification is silent upon

what items are paired. The Specification does not define "events." Further there is nothing

within the specification that cross pairs two payments due as claimed above. The figures also do

not show details or describe a "certain insurance policy" as claimed. (***emphasis added below***)

Abstract

     Systems and methods are disclosed for processing transactions between a customer and a business. An exemplary system includes a server used by the business and being accessible by the customer, and a customer account associated with the customer housed on the server. ***The customer account includes automated instructions that allow the customer to advise the business of an upcoming payment for an upcoming event, to request a payment from the business from a previous event, or to pair a payment with one or more upcoming events***.

Paragraph 10

     In another exemplary embodiment of the present invention, a system is disclosed for transacting business between a customer and a business. The system includes a server used by the business and being accessible by the customer, and a customer account hosted on the server. The customer account includes ***means for instructing the business to make an upcoming payment for an upcoming event, to request a payment from the business from a previous event, or to pair a payment with one or more upcoming events***.

Paragraph 46

     When a customer chooses the advise payment option *(e.g.,* selects advise payment 362 from screenshot 300) when viewing the current account 402, shown in Figure 4, the system proceeds to the advise payment column 420, ***wherein the customer advises the business of an upcoming payment which can be paired with one or previous events. The customer does not need to pair the upcoming payment with any previous events***. At the data entry portion 450 of the advise payment option, payment advice portion 421 is initiated. At this stage, the system presents a list of all open *(e.g.,* unsettled) current account bookings as seen in the exemplary screenshot 700 of Figure 7. The customer then selects the open items the customer would like to settle by submitting payment. In the exemplary screenshot 700, the customer has selected open items with a $500 credit and an $11,000 credit for a total balance of $11,500.

Paragraphs 80 and 81

In the back office context, Figure 39 shows an exemplary process 3900 through which pairing advice may be processed by the business in a PNPA model.

Once a customer has accessed current account through the business supported interface and selected payment advice, the system proceeds to the "Preparation" portion of the PNPA model. ***The system obtains the information provided by the customer regarding the selected open or overdue items for pairing at "D: Select open/overdue items for pairing."*** The system validates the pairing at "V: Validate Pairing." If not validated, the system returns to "D: Select open/overdue items for pairing." If validated, the system requests the customer to allocate unpaired payments, either fully or partially, to the open/overdue items selected for pairing at "D: Allocate unpaired payments." The system validates the allocation at "V: Validate Allocation." If not validated, the system returns to "D: Allocate unpaired payments." If validated, the system proceeds to "P: Package information - Pairing." The "P: Package information - Pairing" contains information, such as, selected payments and selected open/overdue items. During the "Negotiation" portion of the PNPA model, the system receives the package information at "D: Get packaged information - Pairing." The information may optionally go through several checks at "F: Business check Pairing Advice." These checks are merely exemplary and if no checks are provided the system passws the information to the "Performance" portion of the PNPA model.

The claimed language is not explicit, implicit or inherent. Claims 3, 5 – 7, 10, 12 – 14, 17, 19, 20 – 22, 25 and 27 are rejected for the same reasons as being dependent upon their respective independent claims.

7.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8.   Claims 1, 3, 5 – 8, 10, 12 – 15, 17, 19, 20 – 22, 24, 25 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

▪   Amended independent claims have a processor pairing items on a displayed list. The Examiner is unsure as to whether the pairing occurs by visually arranging the items such as pairing of the items of the list or moving funds between the items such as pairing

payment with debit. The Examiner understands that the pairing is displayed. Claims 3, 5 – 7, 10, 12 – 14, 17, 19, 20 – 22, 25 and 27 are rejected for the same reasons as being dependent upon their respective independent claims.

- Claim 22 includes the limitation, "wherein the automated instructions are adapted to verify that a sum of all selected postings is a debit in the customer's favor." It is not clear from the claim what to account or accounts the debit refers. Claim 21 by contrast uses the term "sum;" sum is simply an amount.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   *Claims 1, 3, 5 – 8, 10, 12 – 15, 17, 19, 20 – 22, 24, 25 and 27 are* rejected under 35 U.S.C. 103(a) as being anticipated by Kumar et al., U.S. Pre-Grant Publication 2001/ 0023414 in view of King et al., U.S. Patent 5,704,045.

11.   As per claim 1,

Kumar teaches a system for transacting business between a customer and a business, the system comprising:

- a server used by the business and being accessible by the customer (figure 1, #31 where the location of the server is not claimed),

   o   wherein the business is a reinsurer and the customer is an insurer; and

- a customer account housed on the server (paragraph 66 – 68),

- o the customer account having access to internal records associated with the customer account on the server (paragraph 67, on-line banking. The Examiner notes that the information required to be in the records is not claimed. In addition, the data represents nonfunctional descriptive information.),

- o wherein the server includes automated instructions that, when executed by the server (paragraph 64, password-all),

  - ▪ allow the customer to

    - • use a computer graphical user interface pair a payment with one or more previous events (figure 30 where the previous events are the creation of debt),

    - • wherein the automated instructions are adapted to present,

      - o on the computer graphical user interface for view and use by the customer (figures 17 and 18),

      - o a list of open current account bookings of the customer (figures 17 and 18),

Kumar does not explicitly teach the system

- • a server used by the business and being accessible by the customer

  - o wherein the business is a reinsurer and the customer is an insurer (However, the description of the customer and the business represents non-functional descriptive information and therefore has little patentable weight. Further, reversing the titles of the users so that the customer becomes the business and the business becomes

the customer does not affect the outcome of the method; reversing the titles only

changes the description of the users); and

- a customer account housed on the server,

  o the customer account having access to internal records <u>of the reinsurer</u> associated

    with the customer account on the server (However, the label here of the reinsurer

    is consistent with the label above as a business. Therefore the label is still

    nonfunctional descriptive information in that substituting one business for another

    is an obvious substitution of business types.),

  o wherein the server includes automated instructions that, when executed by the

    server,

    ▪ allow the customer to

      • wherein the automated instructions are adapted to present,

        o on the computer graphical user interface for view and use

          by the customer,

        o a list of open current account bookings of the customer,

          ▪ wherein the open current account bookings are

            <u>associated with more than one insurance policy</u>

            (figure 16, #303. The Examiner notes that the

            association is not defined. Paragraph 227, insurance

            accounts is plural. Additionally, the association

            represents nonfunctional descriptive information),

            and

- wherein, a processor at the server uses the list to pair a payment due <u>from the insurer to the reinsurer for a certain insurance policy</u> with a payment due from the <u>reinsurer to the insurer for the certain insurance policy</u> (The bill pay screen, figure 18, allows a user to match a payment with an expense. The certain insurance policy is considered nonfunctional descriptive information.).

However, King further teaches the system

- a server used by the business and being accessible by the customer

    o wherein the business is a reinsurer and the customer is an insurer (column 13, line 4 through column 14, line 3); and

- a customer account housed on the server,

    o the customer account having access to internal records of the reinsurer associated with the customer account on the server (column 17, line 45 through column 18, line 10),

    o wherein the server includes automated instructions that, when executed by the server,

        ▪ allow the customer to

            - wherein the automated instructions are adapted to present,

                o on the computer graphical user interface for view and use by the customer,

                o a list of open current account bookings of the customer,

                    ▪ wherein the open current account bookings are associated with more than one insurance policy

(column 11, lines 9 – 25, policyholders and each

policy), and

- wherein, a processor at the server uses the list to pair a payment due from the insurer to

  the reinsurer for a certain insurance policy with a payment due from the reinsurer to the

  insurer for the certain insurance policy (column 11, lines 26 – 35. The displaying of

  items on a screen in a particular order is a prima facie case of integrating items).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add

theses features into Kumar. One of ordinary skill in the art at the time of the invention would

have added these features

- The prior art differs from the claim by the substitution of some components. The

  substituted components were known. The technical ability existed to substitute the

  components as claimed and the result of the substitution is predictable.

12.   As per claim 3, Kumar in view of King teaches the system of claim 1 as described above.

Kumar does not explicitly teach the system wherein the payment due from the <u>reinsurer to the</u>

<u>insurer is for an insurance claim</u> (the claim description is nonfunctional).

However, King further teaches the system wherein the payment due from the reinsurer to the

insurer is for an insurance claim (column 9, lines 2 - 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add

this feature into Kumar. One of ordinary skill in the art at the time of the invention would have

added this feature

- The prior art differs from the claim by the substitution of some components. The substituted components were known. The technical ability existed to substitute the components as claimed and the result of the substitution is predictable.

13.   As per claim 5, Kumar in view of King teaches the system of claim 1 as described above. Kumar further teaches the system comprising: a computer in communication with the server (figure 7, #163 and #167), wherein the customer accesses the server through the computer (figure 7, #163).

14.   As per claim 6, Kumar in view of King teaches the system of claim 5 as described above. Kumar further teaches the system wherein the access to the server from the computer includes use of the Internet (paragraph 2).

15.   As per claim 7, Kumar in view of King teaches the system of claim 5 as described above. Kumar further teaches the system wherein the access to the server from the computer is remote (paragraph 18).

16.   As per claim 8,

Kumar teaches a system for transacting business between a customer and a business, the system comprising:

- a server used by the business and being accessible by the customer (figure 1, #31 where the location of the server is not claimed),

- a customer account stored on the server (paragraph 66 – 68),

  o   the customer account being configured to permit access to individual records associated with the customer account (paragraph 67, on-line banking. The

Examiner notes that the information required to be in the records is not claimed.

In addition, the data represents nonfunctional descriptive information.),

- the customer account having at least one associated process executable by the server (figure 3, login),

o wherein the server includes automated instructions that are adapted to present,

- on a computer graphical user interface for view and use by the customer (paragraph 64, password-all and figure 3, #66),

- a list of open current account bookings of the customer (figure 10),

Kumar does not explicitly teach the system

- a server used by the business and being accessible by the customer,

    o wherein the business is a reinsurer and the customer is an insurer (However, the description of the customer and the business represents non-functional descriptive information and therefore has little patentable weight. Further, reversing the titles of the users so that the customer becomes the business and the business becomes the customer does not affect the outcome of the method; reversing the titles only changes the description of the users); and

- a customer account stored on the server,

    o wherein the server includes automated instructions that are adapted to present,

        - a list of open current account bookings of the customer,

            - wherein the open current account bookings are associated with more than one insurance policy (figure 16, #303. The Examiner notes that the association is not defined. Paragraph 227, insurance

accounts is plural. Additionally, the association represents

nonfunctional descriptive information), and

- wherein, a processor at the server uses the list to pair a payment due from the insurer to

    the reinsurer for a certain insurance policy with a payment due from the reinsurer to the

    insurer for the certain insurance policy (The bill pay screen, figure 18, allows a user to

    match a payment with an expense. The certain insurance policy is considered

    nonfunctional descriptive information.).

However, King further teaches the system

- a server used by the business and being accessible by the customer,

    o wherein the business is a reinsurer and the customer is an insurer (column 13, line

        4 through column 14, line 3); and

- a customer account stored on the server,

    o wherein the server includes automated instructions that are adapted to present,

        ▪ a list of open current account bookings of the customer,

            - wherein the open current account bookings are associated with

                more than one insurance policy (column 11, lines 9 – 25,

                policyholders and each policy), and

- wherein, a processor at the server uses the list to pair a payment due from the insurer to

    the reinsurer for a certain insurance policy with a payment due from the reinsurer to the

    insurer for the certain insurance policy (column 11, lines 26 - 37 The displaying of items

    on a screen in a particular order is a prima facie case of integrating items).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add theses features into Kumar. One of ordinary skill in the art at the time of the invention would have added these features

- The prior art differs from the claim by the substitution of some components. The substituted components were known. The technical ability existed to substitute the components as claimed and the result of the substitution is predictable.

17.   As per claim 10, Kumar in view of King teaches the system of claim 8 as described above.

Kumar does not explicitly teach the system wherein the payment due from the reinsurer to the insurer is for an insurance claim (the payment description is nonfunctional).

However, King further teaches the system wherein the payment due from the reinsurer to the insurer is for an insurance claim (column 9, lines 2 - 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Kumar. One of ordinary skill in the art at the time of the invention would have added this feature

- The prior art differs from the claim by the substitution of some components. The substituted components were known. The technical ability existed to substitute the components as claimed and the result of the substitution is predictable.

18.   As per claim 12, Kumar in view of King teaches the system of claim 8 as described above.

Kumar further teaches the system comprising: a computer in communication with the server

(figure 7, #163 and #167), wherein the customer accesses the server through the computer (figure

7, #163).

19.   As per claim 13, Kumar in view of King teaches the system of claim 12 as described

above. Kumar further teaches the system wherein the access to the server from the computer

includes use of the Internet (paragraph 2).

20.   As per claim 14, Kumar in view of King teaches the system of claim 12 as described

above. Kumar further teaches the system wherein the access to the server from the computer is

remote (paragraph 18).

21.   As per claim 15,

Kumar teaches a method of transacting business between a customer and a business, the method

comprising:

- accessing

    o through a server used by the business (figure 1, #31 where the location of the

        server is not claimed),

    o an existing customer account,

        ▪ including internal records of the business (paragraph 67, on-line banking.

            The Examiner notes that the information required to be in the records is

            not claimed. In addition, the data represents nonfunctional descriptive

            information.),

- accessing

    o through the server (figure 1, #31),

- o a computer graphical user interface that displays a list of open current account

  bookings of the customer (figures 17 and 18),

- instructing the business

  - o through the server (figure 1, #31),

  - o the business to pair a payment with one or more upcoming events (figure 30

    where the previous events are the creation of debt),

Kumar does not explicitly teach the method

- accessing

  - o an existing customer account,

    - wherein the business is a reinsurer and the customer is an insurer

      (However, the description of the customer and the business represents

      non-functional descriptive information and therefore has little patentable

      weight. Further, reversing the titles of the users so that the customer

      becomes the business and the business becomes the customer does not

      affect the outcome of the method; reversing the titles only changes the

      description of the users);

- accessing

  - o a computer graphical user interface that displays a list of open current account

    bookings of the customer,

    - wherein the open current account bookings are associated with more than

      one insurance policy (figure 16, #303. The Examiner notes that the

      association is not defined. Paragraph 227, insurance accounts is plural.

Additionally, the association represents nonfunctional descriptive

information), and

- wherein instructing the business to pair a payment with one or more upcoming events

  comprises using a processor and the list on the graphical user interface to pair a payment

  due <u>from the insurer to the reinsurer for a certain insurance policy</u> with a payment due

  <u>from the reinsurer to the insurer for the certain insurance policy</u> (bill pay screen, figure

  18, allows a user to match a payment with an expense. The certain insurance policy is

  considered nonfunctional descriptive information.).

However, King further teaches the method

- accessing

  o an existing customer account,

     ▪ wherein the business is a reinsurer and the customer is an insurer (column

        13, line 4 through column 14, line 3);

  o wherein the open current account bookings are associated with more than one

     insurance policy (column 11, lines 9 – 25, policyholders and each policy), and

- wherein instructing the business to pair a payment with one or more upcoming events

  comprises using a processor and the list on the graphical user interface to pair a payment

  due from the insurer to the reinsurer for a certain insurance policy with a payment due

  from the reinsurer to the insurer for the certain insurance policy (column 11, lines 26 - 37

  The displaying of items on a screen in a particular order is a prima facie case of

  integrating items).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add theses features into Kumar. One of ordinary skill in the art at the time of the invention would have added these features

- The prior art differs from the claim by the substitution of some components. The substituted components were known. The technical ability existed to substitute the components as claimed and the result of the substitution is predictable.

22.   As per claim 17, Kumar in view of King teaches the method of claim 16 as described above.

Kumar does not explicitly teach the method wherein the payment due from the reinsurer to the insurer is for an insurance claim (the claim description is nonfunctional).

However, King further teaches the method wherein the payment due from the reinsurer to the insurer is for an insurance claim (column 9, lines 2 - 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Kumar. One of ordinary skill in the art at the time of the invention would have added this feature

- The prior art differs from the claim by the substitution of some components. The substituted components were known. The technical ability existed to substitute the components as claimed and the result of the substitution is predictable.

23.   As per claim 19, Kumar in view of King teaches the method of claim 15 as described

above. Kumar further teaches the method wherein accessing the customer account involves use

of the Internet (paragraph 2).

24.   As per claim 20, Kumar in view of King teaches the method of claim 15 as described

above. Kumar further teaches the method wherein the customer account is accessed remotely

(paragraph 18).

25.   As per claim 24,

Kumar teaches a method comprising:

- remotely accessing an account (paragraph 18),

Kumar does not explicitly teach the method

- remotely accessing an insurer account by an insurer (However, the description of the user

   account and the user represents non-functional descriptive information and therefore has

   little patentable weight.),

   o   including internal records of a reinsurer providing coverage to the insurer for

      clients of the insurer (paragraph 67, on-line banking. The Examiner notes that the

      information required to be in the records is not claimed. In addition, the data

      represents nonfunctional descriptive information.),

   o   the account being stored on a server associated with the reinsurer (figure 16, as

      above, they type of association is not known);

- accessing a computer graphical user interface that displays a list of open current account

   bookings associated with the insurer (figure 16, #303. The Examiner notes that the

association is not defined. Paragraph 227, insurance accounts is plural. Additionally, the

association represents nonfunctional descriptive information),

- o wherein the open current account bookings are associated with an <u>insurance</u>

  <u>policy in which the reinsurer provides reinsurance coverage to the insurer</u> (figure

  18, state farm) , and

- instructing the <u>reinsurer</u> to pair a payment with one or more upcoming events (The

  Examiner notes that a payment may be to match a bill with a payment. Paragraphs 229

  and 230),

- o the instructing performed by the <u>insurer</u> using the server <u>associated with the</u>

  <u>reinsurer</u> (paragraph 232, pay bills),

- wherein instructing the <u>reinsurer</u> to pair a payment with one or more upcoming events

  comprises using a processor at the server and the list to pair a payment <u>due from the</u>

  <u>insurer to the reinsurer for a certain insurance policy of the insurer</u> with a payment due

  <u>from the reinsurer to the insurer from the certain insurance policy in accordance with an</u>

  <u>existing reinsurance policy between the insurer and the reinsurer</u> (bill pay screen, figure

  18, allows a user to match a payment with an expense. The certain insurance policy is

  considered nonfunctional descriptive information. The event, not defined, could be a

  previous payment or even the establishment of the policy).

However, King further teaches the method

- remotely accessing an insurer account by an insurer (column 6, lines 15 – 38, where the

  insurer is a party of interest accessing the account at the intermediary computer. The

design of the network represents a design choice of making the components integral or
separable.),

- o including internal records of a reinsurer providing coverage to the insurer for
  clients of the insurer (figure 2, where the intermediary allows record access),
- o the account being stored on a server associated with the reinsurer (figure 2);
- accessing a computer graphical user interface that displays a list of open current account
  bookings associated with the insurer (column 11, lines 9 – 25, policyholders and each
  policy),
  - o wherein the open current account bookings are associated with an insurance
    policy in which the reinsurer provides reinsurance coverage to the insurer
    (Example 2 and II. Primary shareholders), and
- instructing the reinsurer to pair a payment with one or more upcoming events (I.
  Transactional Capital Participants and column 13, line 4 through column 14, line 3),
  - o the instructing performed by the insurer using the server associated with the
    reinsurer (I. Transactional Capital Participants and column 13, line 4 through
    column 14, line 3),
- wherein instructing the reinsurer to pair a payment with one or more upcoming events
  comprises using a processor at the server and the list to pair a payment due from the
  insurer to the reinsurer for a certain insurance policy of the insurer with a payment due
  from the reinsurer to the insurer from the certain insurance policy in accordance with an
  existing reinsurance policy between the insurer and the reinsurer (column 11, lines 26 –

37   The displaying of items on a screen in a particular order is a prima facie case of

integrating items).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add

theses features into Kumar. One of ordinary skill in the art at the time of the invention would

have added these features

- The prior art differs from the claim by the substitution of some components. The

   substituted components were known. The technical ability existed to substitute the

   components as claimed and the result of the substitution is predictable.

26.   As per claim 27, Kumar in view of King teaches the method of claim 24 as described

above.

Kumar further teaches the method comprising generating a record of the payment made

(paragraph 152, account history where the details represent nonfunctional data).

Kumar does not explicitly teach the method generating a record of the payment made with the

certain insurance policy.

However, King further teaches the method generating a record of the payment made with the

certain insurance policy (column 24, line 1 – 11).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add

this feature into Kumar. One of ordinary skill in the art at the time of the invention would have

added this feature

- The prior art differs from the claim by the substitution of some components. The substituted components were known. The technical ability existed to substitute the components as claimed and the result of the substitution is predictable.

27.   **Claim 21** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar et al., U.S. Pre-Grant Publication 2001/ 0023414 in view of King et al., U.S. Patent 5,704,045, as applied to claim 1 above, further in view of AAPA.

28.   As per claim 21, Kumar in view of King teaches the system of claim 1 as described. Kumar in view of King further teaches the system wherein the customer advises of an upcoming payment by selecting postings on the list (figure 2 where payment terms are described). Kumar in view of King does not explicitly teach the system <u>wherein the automated instructions are adapted to verify that a sum of all selected postings is a credit in the business's favor</u>. It is AAPA that the automated instructions are adapted to verify that the sum of all selected postings is in the business's favor.

One of ordinary skill in the art at the time of the invention would have added the Official Notice feature to Lundegren. One of ordinary skill in the art would have added this feature with the motivation to clearly see all the positions of a business or a customer online to make determining profits easier (AAPA).

29.   **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar et al., U.S. Pre-Grant Publication 2001/ 0023414 in view of King et al., U.S. Patent 5,704,045, as applied to claim 1 above, further in view of Goino, U.S. Pre-Grant Publication Number 2001/ 0056396.

30.   As per claim 22, Kumar in view of King teaches the system of claim 1 as described.

Kumar in view of King does not explicitly teach the system wherein the <u>customer requests a</u>

<u>payment by selecting postings on the list, and wherein the automated instructions are adapted to</u>

<u>verify that a sum of all selected postings is a debit in the customer's favor</u>.

However, Goino teaches the system wherein the customer requests a payment by selecting

postings on the list (paragraph 371 where a bidders list is shown), and wherein the automated

instructions are adapted to verify that a sum of all selected postings is a debit in the customer's

favor (paragraph 372 where the debit is from the partner conceding the price).

One of ordinary skill in the art at the time of the invention would have added these features to

Kumar in view of King. One of ordinary skill in the art would have added these features with the

motivation to satisfy that requirements other than the price for a client are provided (Goino

abstract).

31.   **Claim 25** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar et al.,

U.S. Pre-Grant Publication 2001/ 0023414 in view of King et al., U.S. Patent 5,704,045, as

applied to claim 24 above, further in view of CATEX, web-based clearing and settlement.

32.   As per claim 25, Kumar in view of King teaches the method of claim 24 as described

above.

Kumar in view of King does not explicitly teach the method wherein the <u>insurer account includes</u>

<u>a bordereaux</u> (The use of a bordereau represents a matter of design choice).

However, CATEX further teaches the method wherein the insurer account includes a bordereaux

(Press Release – CATEX Details Web-Based Clearing and Settlement).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Kumar in view of King. One of ordinary skill in the at would have added this feature into Kumar in view of King

- The elements are all known but not combined as claimed. The technical ability exists to combine the elements as claimed and the results of the combination are predictable. When combined, the elements perform the same function as they did separately.

Response to Arguments

33.   Applicant's arguments, see 35 U.S.C. 101 rejection, filed 12/15/2009, with respect to claims 15 – 20 and 24 – 27 have been fully considered and are persuasive. The 35 U.S.C. 101 rejection of claims 15 – 20 and 24 – 27 has been withdrawn.

34.   Applicant's arguments, see 35 U.S.C. 112, 2nd paragraph rejection, filed 12/15/2009, with respect to claim 1 – 23 have been fully considered and are persuasive. The 35 U.S.C. 112, 2nd paragraph rejection of claim 1 – 23 has been withdrawn.

35.   Applicant's arguments filed 12/15/2009 have been fully considered but they are not persuasive.

The Applicant states that, "Since both Kumar and King fail to disclose the above-noted feature from Claim 1, a person of ordinary skill in the art cannot properly combine Kumar and King to arrive at the invention of Claim 1." The 'above-noted feature' is the amendment the Applicant added within the 12/15/2009 submission. The Examiner notes the new $112/1^{st}$ paragraph, $112/2^{nd}$ paragraph rejections regarding this particular feature. As new rejections arise from the 'above-noted feature,' the Applicants arguments are not persuasive.

36.   Regarding the Applicant's invention, the Examiner notes that the relationships between

an insurance agency client, the insurance company and the reinsurer are old and well known.

The Existence of payments from the client to the company and then to the reinsurer are old and

well known. Further, the existence of claim payments from the reinsurer to the insurance

company and potentially to the client are old and well known. Automated billing systems are old

and well known as evidenced by systems such as Quickbooks, PeachTree, SAP and SAGE.

Although the rejection has not been made, it would seem to be an obvious combination of known

problems with known software to make the expected outcome.

Conclusion

37.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to NEAL R. SEREBOFF whose telephone number is (571)270-

1373. The examiner can normally be reached on Mon thru Thur from 7:30am to 5pm, with 1st Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. R. S./
Examiner, Art Unit 3626
3/16/2010

/C. Luke Gilligan/
Primary Examiner, Art Unit 3626